

Message Text

CONFIDENTIAL

PAGE 01 PARIS 33307 01 OF 03 192204Z

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ACTION EA-09

INFO OCT-01 EUR-12 IO-10 ISO-00 DHA-02 ORM-02 SCA-01 AID-05

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NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DPW-01 EB-07

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FM AMEMBASSY PARIS

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INFO AMEMBASSY BANGKOK

AMCONSUL HONG KONG

USMISSION GENEVA

AMEMBASSY VIENTIANE

C O N F I D E N T I A L SECTION 01 OF 03 PARIS 33307

E. O. 11652: XGDS-1

TAGS: CASC, SREF, VS, VN, US, FR

SUBJECT: FRENCH EXPERIENCE OF IMMIGRATION OF FRENCH
AND VIETNAMESE NATIONALS FROM SOUTH VIETNAM

REF: (A) STATE 292858; (B) PARIS 32715

SUMMARY: IN ADDITION TO RUNNING A FAIRLY LARGE REFUGEE PROGRAM, THE GOF HAS BEEN REPATRIATING FROM SAIGON FRENCH NATIONALS (AND OTHERS) INCLUDING MANY OF VIETNAMESE ORIGIN ON SPECIAL FLIGHTS. THE RECENT HIGH LEVEL TRIP TO HANOI RESULTED IN CERTAIN AGREEMENTS ON DECEMBER 2 WHICH HAVE FURTHER LIBERALIZED THE DEPARTURES FROM SAIGON, INCLUDING OF VIETNAMESE NATIONALS RELATED TO FRENCH CITIZENS. THE DUAL NATIONAL PROBLEM WAS NOT DISCUSSED LEGALISTICALLY, BUT GOF THINKS DRV/PRG WILL LET THE GOF PLAY A "NORMAL" ROLE WITH THOSE GOF CONSIDERS FRENCH NATIONALS. SPECIAL FLIGHTS ARE RUNNING RATHER FULL AND HAVE BEEN EXTENDED TO FEBRUARY WHEN GOF HOPES AIR FRANCE WILL PASS THROUGH
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PAGE 02 PARIS 33307 01 OF 03 192204Z

SAIGON. DOCUMENTARY REQUIREMENTS ARE NOT A PROBLEM;

THE PRINCIPAL QUESTION IS WHETHER THE DRV/PRG WISH A CERTAIN PERSON TO DEPART. THE GOF WAS NOT AWARE OF ANY SPECIAL SCRUTINY ACCORDED TO VIETNAMESE RELATED TO FOREIGNERS. CHAYET COMMENTED THAT ONE SHOULD EXPECT TO PAY FOR ANY CONCESSION ONE OBTAINS ON MATTERS OF IMPORTANCE TO ONESELF -- EVEN THOUGH OF NO IMPORTANCE TO THE VIETNAMESE. HE THOUGHT DRV WOULD STRIKE TOUGHER BARGAIN WITH THE US THAN WITH FRANCE, PARTICULARLY SINCE US HAD LONG INDICATED THE HIGH PRICE IT PLACED ON ITS NATIONALS AND THEIR RELATIVES.

1. EMBOFF HAD A LONG CONVERSATION DECEMBER 17 WITH AMBASSADOR CLAUDE CHAYET, DIRECTOR OF ADMINISTRATIVE CONVENTIONS AND CONSULAR AFFAIRS AND FORMER AMBASSADOR TO HANOI. CHAYET, WHO HAS LONG HAD EXPERIENCE IN ASIA AND NEGOTIATIONS WITH THE VIETNAMESE AND CHINESE, WAS THE PERSON WHO PRINCIPALLY NEGOTIATED WITH THE DRV DURING THE COURCEL MISSION (REF (B)) ON CONSULAR MATTERS. WHILE SOME OF THE MATTERS DISCUSSED ARE ONLY INDIRECTLY CONNECTED WITH THE PARTICULAR QUESTIONS IN REF (A), THEY PROVIDE, WE BELIEVE, USEFUL BACKGROUND.

2. DUAL NATIONALS. CHAYET SAID THAT IN ACCORDANCE WITH A 1955 CONVENTION BETWEEN THE GOF AND THE GVN (DIEM WAS PRESIDENT) THE GVN ACCEPTED THE LOSS OF VIETNAMESE NATIONALITY IN THE CASE OF ANY VIETNAMESE WHO WAS NATURALIZED AS A FRENCH CITIZEN AND NOTIFICATION WAS SENT BY THE GOF TO THE GVN. AT THE SAME TIME RULES WERE ESTABLISHED WHICH RESOLVED ALL EXISTING CASES OF DUAL NATIONALITY. AS FOR DUAL NATIONALITY IN NORTH VIETNAM, THIS HAD NEVER BEEN A PROBLEM BECAUSE VIETNAMESE CONNECTED IN ANY WAY WITH THE FRENCH (WHETHER OF FRENCH NATIONALITY OR NOT) HAD MOVED SOUTH IN 1954. HOWEVER, CHAYET HAD NOT CONSIDERED IT ADVISABLE TO RAISE WITH THE DRV THE 1955 CONVENTION SINCE HE BELIEVED IT WOULD HAMPER THE NEGOTIATIONS EVEN THOUGH IT PROVIDED A LEGAL BACKGROUND FOR THE FRENCH POSITION. HE INSTEAD ACTED AS THOUGH ALL SUCH PERSONS MIGHT BE CONSIDERED TO HAVE DUAL NATIONALITY AND ASKED MERELY FOR THE RIGHT OF THE GOF TO PROTECT PERSONS IT CONSIDERED CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PARIS 33307 01 OF 03 192204Z

TO BE FRENCH NATIONALS AND TO FACILITATE THEIR EVACUATION FROM SVN. THIS "PRACTICAL" APPROACH THEREFORE FINESSED THE QUESTION OF WHETHER THOSE WHOM THE GOF CONSIDERED FRENCH, MIGHT ALSO BE VIETNAMESE IN THE EYES OF THE DRV/PRG. IN ORDER TO FACILITATE DRV AGREEMENT, CHAYET HIMSELF PROPOSED THAT ONLY THOSE WITH FRENCH NATIONALITY ESTABLISHED PRIOR TO APRIL 30 WOULD BE CONSIDERED FRENCH NATIONALS AS COVERED BY

THEIR AGREEMENT. IN ADDITION CHAYET NOTED THAT THE GOF WAS AWARE THAT THERE HAD BEEN CORRUPTION, FRAUD AND FALSE PAPERS CONNECTED WITH SOME CASES OF PERSONS CLAIMING FRENCH NATIONALITY. CHAYET SAID THE GOF WOULD MAKE NO EFFORT ON BEHALF OF ANY PERSON WHOSE CLAIM WITH FRENCH NATIONALITY WAS BASED ON ANY KIND OF FRAUD, INCLUDING A MARRIAGE OF CONVENIENCE. CHAYET SAID

CONFIDENTIAL

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PAGE 01 PARIS 33307 02 OF 03 192053Z

65

ACTION EA-09

INFO OCT-01 EUR-12 IO-10 ISO-00 DHA-02 ORM-02 SCA-01 AID-05

OMB-01 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00

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C O N F I D E N T I A L SECTION 02 OF 03 PARIS 33307

THAT THESE TWO POSITIONS HAD FACILITATED DRV ACCEPTANCE OF THE GOF REQUEST CONCERNING OTHER NATIONALS. CHAYET UNDERLINED, HOWEVER, THAT THE GOF STILL CONSIDERED THAT THE DRV WOULD MAINTAIN A CERTAIN FLEXIBILITY AND, IF IT SO CHOSE, RETAIN SOME INDIVIDUAL FRENCH NATIONALS OF VIETNAMESE ORIGIN. NONETHELESS THE FRENCH EXPERIENCE SINCE THE ESTABLISHMENT OF THE AGREEMENT ON DECEMBER 2 HAS BEEN OF A CONSIDERABLE RELAXATION IN DRV/PRG PRACTICES INCLUDING PERMISSION FOR CERTAIN CATEGORIES

OF VIETNAMESE CITIZENS TO LEAVE ON THE FRENCH FLIGHTS.

3. FRENCH FLIGHTS. THE FRENCH FLIGHTS CONTINUE TO BE BASICALLY FIVE TIMES A WEEK. BETWEEN DECEMBER 9 AND 13, THERE WERE 5 FLIGHTS WITH 274 PASSENGERS, ADULTS AND CHILDREN. OF THESE PASSENGERS 111 WERE FRENCH CITIZENS OF WHOM 102 WERE OF ASIAN ORIGIN. OTHER NATIONALITIES INCLUDED: VIETNAMESE 43, SOUTH KOREAN THAT THESE TWO POSITIONS HAD FACILITATED DRV ACCEPTANCE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PARIS 33307 02 OF 03 192053Z

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3. FRENCH FLIGHTS. THE FRENCH FLIGHTS CONTINUE TO BE BASICALLY FIVE TIMES A WEEK. BETWEEN DECEMBER 9 AND 13, THERE WERE 5 FLIGHTS WITH 274 PASSENGERS, ADULTS AND CHILDREN. OF THESE PASSENGERS 111 WERE FRENCH CITIZENS OF WHOM 102 WERE OF ASIAN ORIGIN. OTHER NATIONALITIES INCLUDED: VIETNAMESE 43, SOUTH KOREAN 48, FILIPPINO 20, INDIANS 18, CAMBODIANS 17, SWISS 2, TAIWANESE 7, HONG KONG CHINESE 5, GERMAN 1, MALAYSIAN 1, AND JAPANESE 1.

4. VIETNAMESE PERMITTED TO DEPART. MOST OF THE 43 VIETNAMESE WHO DEPARTED BETWEEN DECEMBER 9 AND 13 WERE RELATIVES OF FRENCH NATIONALS INCLUDING THOSE OF VIETNAMESE ORIGIN. IN ADDITION TO SPOUSES AND CHILDREN, PARENTS AND SIBLINGS ARE APPARENTLY ALSO PROCESSED FOR DEPARTURE ON THE PRINCIPLE OF FAMILY REGROUPING. FRENCH EXPERIENCE TO DATE HAS BEEN THAT THE VIETNAMESE PERMITTED TO DEPART WERE ACCOMPANYING A FRENCH NATIONAL ON ONE OF THE EVACUATION FLIGHTS. HOWEVER, CHAYET HAD HEARD OF SOME CASES OF VIETNAMESE NATIONALS WHO ALREADY HAD PRG PERMISSION TO GET GOF DOCUMENTATION TO JOIN RELATIVES IN FRANCE AND HE HENCE THOUGHT THAT IN CERTAIN CASES IN THE FUTURE FRENCH AND PERHAPS EVEN VIETNAMESE IN FRANCE COULD HOPE TO GET RELATIVES WITH VIETNAMESE NATIONALITY OUT OF SAIGON. CHAYET AGAIN UNDERLINED THAT THOSE WHO DEPARTED WERE THOSE WHOM THE DRV/PRG CHOSE TO RELEASE; THERE IS NO CRITERION ON WHICH THE GOF OR THE FAMILIES CAN INSIST.

5. DOCUMENTARY REQUIREMENTS. IN THE CASE OF THOSE PROCESSED BY THE FRENCH, FRENCH NATIONALS RECEIVE A CONFIDENTIAL

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PAGE 03 PARIS 33307 02 OF 03 192053Z

FRENCH PASSPORT AND THE VIETNAMESE OBTAIN THE FRENCH LAISSEZ-PASSER AND A FRENCH VISA. CHAYET IS NOT AWARE OF WHETHER THEY MUST ALSO HAVE A DRV/PRG PASSPORT IN ADDITION TO AN EXIT PERMIT. CHAYET DID NOT THINK THAT DOCUMENTATION HAD BEEN A PARTICULAR STUMBLING BLOCK; WHEN THE DRV/PRG WISHED SOMEONE TO LEAVE, DOCUMENTARY REQUIREMENTS WERE USUALLY MET.

6. SPECIAL PROBLEMS FOR VIETNAMESE RELATIONS OF FOREIGNERS. CHAYET SAID THE GOF HAD HEARD NO REPORTS OF SPECIAL REPRISALS OR PARTICULAR SCRUTINY OF VIETNAMESE RELATIVES OF FOREIGN NATIONALS. HE REMARKED THAT ALL VIETNAMESE AND FOREIGNERS WERE SUBJECTED TO QUITE ADEQUATE SCRUTINY, AND IT WAS NOT NECESSARY TO INSTITUTE SPECIAL PROCEDURES FOR THOSE RELATED TO FOREIGNERS.

7. FURTHER REMARKS ON FRENCH NEGOTIATING EXPERIENCE. CHAYET HAD IN HIS NEGOTIATIONS WITH THE NORTH VIETNAMESE MADE IT VERY CLEAR THAT THE GOF REALIZED IT WAS NEGOTIATING FROM A POSITION OF WEAKNESS. FRENCH NATIONALS AND THEIR VIETNAMESE RELATIVES WERE OF GREAT CONCERN TO THE GOF, BUT OF NO BASIC CONCERN TO THE DRV. CHAYET COMMENTED THAT THE DRV HAD LOST SO MANY PERSONS IN THE STRUGGLE FOR THE UNIFICATION OF VIETNAM THAT THE LIVES OF INDIVIDUALS HELD LITTLE IMPORTANCE COMPARED TO THE ACCOMPLISHMENT OF THEIR POLITICAL GOALS. THE VIETNAMESE WERE WELL AWARE THAT FRANCE, ON THE OTHER HAND, ACCORDED IMPORTANCE TO THESE MATTERS AND FRANCE WAS THEREFORE EXPECTED TO PROVIDE SOMETHING OF VALUE IN RETURN. CHAYET COMMENTED THAT FRENCH AID AND TRADE CONCESSIONS WERE OBVIOUSLY PART OF WHAT FRANCE WAS PROVIDING IN RETURN FOR VIETNAMESE GENEROSITY TOWARD INDIVIDUALS. TO EMPHASIZE THAT FRANCE HAD NO PARTICULAR "RIGHTS" CONCERNING THESE INDIVIDUALS AND HAD TO COUNT ON DRV GOOD WILL, CHAYET CONSTANTLY REFERRED TO EACH ARRANGEMENT'S BEING ENTIRELY SUBJECT TO THE DECISIONS OF THE VIETNAMESE AUTHORITIES.

CONFIDENTIAL

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PAGE 04 PARIS 33307 02 OF 03 192053Z

CONFIDENTIAL

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CONFIDENTIAL

PAGE 01 PARIS 33307 03 OF 03 192045Z

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ACTION EA-09

INFO OCT-01 EUR-12 IO-10 ISO-00 DHA-02 ORM-02 SCA-01 AID-05

OMB-01 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00

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C O N F I D E N T I A L SECTION 03 OF 03 PARIS 33307

8. CHAYET COMMENTED THAT AS IN THE PAST THE DRV NEGOTIATORS WERE VERY TOUGH AND WOULD USE MINUTE PROBLEMS AS BARGAINING COUNTERS IN OVERALL POLITICAL NEGOTIATIONS. HE CITED THE DRV 1972 DELAY IN PROVIDING HIM WITH A COOK WHEN HE WAS FRENCH REPRESENTATIVE IN HANOI AS PART OF AN EFFORT TO GET HIM TO RECOMMEND MORE FAVORABLE TREATMENT FOR THE PRG BY HIS GOVERNMENT. CHAYET THOUGHT THE US WOULD HAVE EVEN MORE DIFFICULT NEGOTIATIONS WITH THE NORTH VIETNAMESE WHO WOULD INDEED EXPECT A GREAT DEAL FROM THE UNITED STATES IN RETURN FOR CONCESSIONS ON ANY MATTERS OF INTEREST TO THE USG, SUCH AS INFORMATION ON THE MIA. ON THE OTHER HAND, FRANCE WAS PAYING A MUCH LOWER PRICE THAN, FOR EXAMPLE, THE JAPANESE. GOF CONSIDERED THE PRICE JUSTIFIED SINCE VIETNAM WAS A COUNTRY OF 45 MILLION INHABITANTS, WITH A STRONG, AMBITIOUS COLLEGIAL

LEADERSHIP AND A DISCIPLINED AND VIGOROUS POPULATION.
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PAGE 02 PARIS 33307 03 OF 03 192045Z

VIETNAM WOULD DEFINITELY PLAY AN IMPORTANT ROLE IN THE
AREA, A ROLE WHICH FRANCE WOULD WISH TO FOLLOW AND
PERHAPS SLIGHTLY INFLUENCE -- FOR WHICH GOOD RELATIONS
WITH HANOI WERE NECESSARY.
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